WYC:lmp 10/7/04 60156

OIPE
OCT 12 2004

$$\mathcal{AF} \quad \$\text{apw}$$
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Rhoads et al.

Application No.: 09/547,664

Filed: April 12, 2000

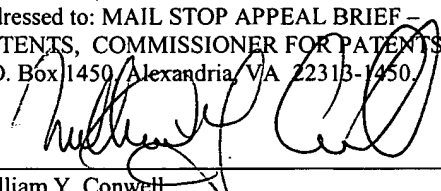For: SYSTEM FOR LINKING FROM OBJECTS TO REMOTE RESOURCES

Examiner: V. Vu

Date: October 7, 2004

Art Unit 2154

Confirmation No. 6242

TRANSMITTAL LETTER

MAIL STOP APPEAL BRIEF – PATENTS
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Enclosed for filing in the above-captioned matter are the following:

☒ Appeal Brief (fee **$340.00)**

☒ Applicant petition for a <u>two</u> month extension of time from <u>August 7, 2004</u> to <u>October 7, 2004</u>. (Fee **$430.00**)

☒ Please charge **$770.00** (fee for Appeal Brief and extension of time) and any additional fees which may be required in connection with filing this document and any extension of time fee, or credit any overpayment, to Deposit Account No. 50-1071.

Date: October 7, 2004

CUSTOMER NUMBER 23735

Phone: 503-885-9699
FAX 503-885-9880

Respectfully submitted,

DIGIMARC CORPORATION

By

William Y. Conwell
Registration No. 31,943

-1-

In re application of:

Rhoads et al.

Application No.: 09/547,664

Filed: April 12, 2000

For: SYSTEM FOR LINKING FROM
        OBJECTS TO REMOTE RESOURCES
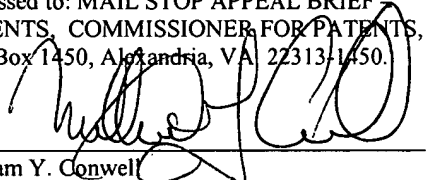
Examiner: V. Vu

Date: October 7, 2004

Art Unit 2154

Confirmation No. 6242

APPEAL BRIEF

Mail Stop: Appeal Brief – Patents
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This brief is in furtherance of the Notice of Appeal filed June 7, 2004. Applicants petition for an extension of the time to file this Brief, to October 7, 2004. Please charge the fee required under 37 CFR 1.17(f), and the extension of time fee, and any other fee or deficiency, to deposit account 50-1071 (see transmittal letter).

10/14/2004 BABRAHA1 00000039 501071   09547664
01 FC:1402   340.00 DA

10/14/2004 BABRAHA1 00000039 501071   09547664
02 FC:1253   430.00 DA

I.   REAL PARTY IN INTEREST

The real party in interest is Digimarc Corporation, by an assignment from the inventors recorded at Reel 11021, Frames 636-640, on July 31, 2000.

II.   RELATED APPEALS AND INTERFERENCES

Application 09/531,076 is related and appealed.

The '076 application is the parent of the present application. The specification of the '076 application is essentially identical to the spec of the present application. The claims originally filed in the '076 application are essentially identical to the claims originally filed in the present application. (A restriction requirement was issued in the present application. Original claims 7-16 are pursued in the present application; original claims 1-5 are pursued in the '076 application.)

III.   STATUS OF CLAIMS

Claims 7-16 stand finally rejected and are appealed.

In the first Action, claims 1-6 were made subject to a restriction requirement that applicants traversed. In his second (Final) Action the Examiner did not expressly make the restriction requirement final,[1] so these claims presently stand "withdrawn" rather than canceled. The Examiner is authorized to cancel these claims by Examiner's Amendment, if the requirement is made final.

IV.   STATUS OF AMENDMENTS

All earlier-filed amendments have been entered.

V.   BACKGROUND AND SUMMARY OF CLAIMED SUBJECT MATTER

According to one aspect, the present invention relates to networked computer systems that are responsive to watermark data to initiate delivery of audio, video, advertisements, or software updates.

According to another aspect, the present invention relates to apparatuses comprising watermark detectors and watermark-related software programs, which are operable to transmit packets of data to remote systems, where data packets comprise certain specified data.

By way of background, the present assignee markets a technology under the trademark MediaBridge in which digital watermarks are used to mark objects.[2] Watermarks are desirable as a marking technology for a number of reasons, including their applicability to both physical and electronic objects, and their human imperceptibility (e.g., digital watermarks don't require the dedicated "real estate" of a bar code, and don't interrupt the visual aesthetic of a graphic design with a stark black and white data symbology).

Digital watermarking technology (also known as steganography) encompasses a great variety of techniques by which plural bits of digital data are hidden in some other object, without leaving human-apparent evidence of alteration or data representation. Thus, a photograph can be digitally watermarked to convey a plural-bit digital payload. The photograph looks essentially pristine to a human viewer, but a suitably-programmed processor can decode the plural-bit payload from image data corresponding to the photograph.[3]

Digital watermarks can take many forms - several are detailed in patent documents incorporated-by-reference in the present specification.[4] One form of digital watermarking favored by the present Applicants involves making subtle changes to the luminance of pixels comprising a photograph or other graphic to thereby encode a hidden multi-bit auxiliary data

---

[1]   C.f. MPEP § 821.01.
[2]   See, e.g., incorporated-by-reference application 60/164,619 (c.f., page 1, line 15, and incorporated by language at page 44, lines 24-26) at page 1, lines 3-6.
[3]   See, e.g., specification, page 4, line 27 through page 5, line 2.
[4]   See, e.g., specification, page 1, lines 4-17; page 3, line 22 through page 4, line 2; and the incorporation by reference language found at page 44, lines 24-26.

payload. The changes are too slight to be perceptible to human viewers.[5] But when such a watermark-encoded graphic is computer analyzed, the multi-bit payload can be recovered, and a corresponding action can be triggered thereby. In accordance with certain aspects of the present invention, the corresponding actions that may be triggered include initiating the delivery of audio or video content, advertisement data, or software updates.

The invention of independent claim 7 (unchanged during prosecution) is an apparatus that includes a watermark detector and a watermark-related software program, and is operable to transmit a packet of data to a remote system.[6] The claim requires that the packet of data comprise (a) an identifier of said software program, and (b) at least a portion of a detected watermark.[7]

By reference to the identifier of software program included in the packet, a system that receives the packet can tailor its responsive action in accordance with the originating software program - as well as in accordance with the watermark data. In the preferred embodiment, the watermark data is referred to one of plural "product handlers" based on the software identifier.[8]

To illustrate, consider a packet that conveys detected watermark data "6A83F." The responding system may respond one way if it knows that the originating software program was an audio player, and in another way if it knows that the originating software program was Windows Explorer. In the former case the responding system may initiate download of a WindowsMedia audio file corresponding to "6A83F."[9] In the latter case the responding system may return metadata corresponding to a file marked with the identifier "6A83F" (e.g., proprietor, creation date, licensing terms, exposure data, subject, etc.).[10] By transmitting an identifier of the

---

[5]   See, e.g., incorporated-by-reference application 09/503,881 cited at page 3, line 25 (now patent 6,614,914).
[6]   See, e.g., Fig. 3, which shows a watermark detector at box 30, and a watermark-related software program at box 28c.
[7]   That the information is conveyed in a "packet" is disclosed, e.g., in table on page 8 of the specification, and by page 19, lines 24-25; page 27, lines 23-25; page 38, line 8; and page 43, lines 19-22. Regarding the packet conveying an identifier of the software application, see page 7, lines 5-8 (reference to "originating application 28c). See also specification at page 19, lines 1-3, page 36, lines 7-14; and page 37, lines 5-8. Regarding the packet also conveying detected watermark data, see, e.g., page 7, lines 14-17; page 20, lines 10-12 and 22; page 32, lines 9-10; and page 37, lines 9-13.
[8]   See, e.g., specification at page 19, line 22 through page 20, line 12.
[9]   See, e.g., specification at page 6, lines 20-23.
[10]   See, e.g., specification at page 27, lines 25-28.

software program in the packet with watermark data, the claimed apparatus can trigger an action that corresponds to the marked object and is appropriate to the involved software program.

The invention of independent claim 10 (also unchanged during prosecution) is an apparatus that includes a watermark detector and a watermark-related software program, and is operable to transmit a packet of data to a remote system. Claim 10 requires that the packet of data comprise (a) a context or environment identifier,[11] and (b) at least a portion of a detected watermark. (Claim 10 differs from claim 7 only in item '(a)'.)

Again, the inclusion of the context/environment identifier allows the claimed apparatus to trigger an action that more intelligently responds to the watermarked object.

Consider a drivers' license that is watermarked with identification of the owner. If presented to an email kiosk 12 at an airport, the decoded watermark may be used to look-up an email account corresponding to that individual, and download new mail. If the same drivers' license is presented to a check-in kiosk, the decoded watermark may be used to look up that person's flight reservation and issue a seat assignment. *In both cases the kiosks can be essentially identical.* However, the former kiosk includes packet data identifying itself as used in an email context, and the latter kiosk includes packet data identifying itself as used in a check-in context.[12]

As another example, consider audio from which watermark data is decoded. If the apparatus sends the watermark data to a remote system with an indication that it was detected in an "office" environment, a first action may be triggered. If the same watermark is sent with an indication that it was detected in a "car" environment, a different action may be triggered.[13]

The invention of independent claim 13 (also unchanged during prosecution) is a networked computer system,[14] responsive to watermark data sent from a remote client application,[15] to initiate delivery of audio or video data.[16]

---

[11]   *See, e.g.,* specification at page 3, lines 7-10; page 26, lines 25-26; page 32, lines 12-18; page 37, lines 14-18; and page 38, lines 32-33.

[12]   Specification, page 26, line 25 through page 27, line 5.

[13]   *See, e.g.,* specification, page 37, lines 16-18.

[14]   *See, e.g.,* Product Handler box 16 in Fig. 2; specification at page 5, line 25 through page 7, line 8.

[15]   *See, e.g.,* Fig. 4, which illustrates a Transaction Request sent from a remote client application (e.g., "Product/Detector" to a Product Handler. *See also,* specification at page 5, lines 25-26; page 6, lines28 through

One example of this is a print advertisement which, when presented by a user to a web cam, triggers delivery of a WindowsMedia audio file to the user.[17] (The claimed network computer system is the apparatus that receives the watermark data from the user's computer, and initiates delivery of the audio file.)

The invention of independent claim 15 (also unchanged during prosecution) is a networked computer system, responsive to watermark data sent from a remote client application, to initiate delivery of advertisement data[18] to the remote computer.[19] (Claim 15 differs from claim 13 only in its concluding limitation – which also specifies the destination of the data initiated by the watermark.)

The invention of independent claim 16 (also unchanged during prosecution) is a networked computer system, responsive to watermark data sent from a remote client application, to initiate delivery of updated software[20] to the remote computer. (Claim 16 differs from claim 15 only in its delivery of "updated software" rather than "advertisement data.")

Among other applications, this latter invention can be employed to check for updates to user software whenever the user's computer (i.e., the remote computer) communicates with the networked computer system, and push updated software to the user, if available.

VI.   GROUNDS OF REJECTION

Claims 7-8, 10-11 and 13-16 stand rejected as anticipated by Moskowitz (5,822,432).

Claims 9 and 12 stand rejected as obvious in view of Moskowitz.

---

page 7, line 2; page 7, lines 21-23; page 20, lines 10-16, 21-23 and 25-27; page 22, lines 26-28; page 23, lines 1-8; page 27, lines

[16]   *See, e.g.,* specification at page 6, lines 20-22; page 9, line 28 to page 10, line 2; page 28, line 21 to page 29, line 8;

[17]   *See, e.g.,* specification, page 4, lines 27-29; and page 6, lines 20-23.

[18]   *See, e.g.,* page 10, line 2.

[19]   *See, e.g.,* reference to information being "returned" to the customer, at page 9, lines 24-26.

[20]   *See, e.g.,* specification at page 6, lines 1-6 and 12-16; page 7, line 25; page 10, line 1; page 22, line 8; page

VII.   ARGUMENT

Claims 7-16 stand rejected as anticipated by, or obvious in view of, Moskowitz (5,822,432).

Moskowitz is understood to disclose digitally watermarking content (*e.g.*, audio) with information specifying terms of permitted use. Compliant equipment encountering such watermarked content would then use the content only in manners consistent with such specifications. Such equipment could exchange information with the source of such content, reporting on usage, etc. (*e.g.*, for billing purposes).

As detailed below, Moskowitz does not teach each element of claims 7-8, 10-11 and 13-16. Nor has obviousness of claims 9 and 12 over Moskowitz been demonstrated.

1.   Claim 7

Moskowitz fails to teach each limitation of claim 7. The claim reads:

> 7. *An apparatus including a watermark detector and a watermark-related software program, operable to transmit a packet of data to a remote system, said packet of data comprising (a)* **an identifier of said software program**, *and (b) at least a portion of a detected watermark.*

Moskowitz's apparatus is not operable to transmit "an identifier of said [watermark-related] software program."

On this point, the Examiner argues:

> *Moskowitz also teaches embedding control data within the digitized data stream packets including addresses, watermarks, and watermark encoder/decoder software programs which are used to control the distribution of copyrighted data contents.* "[21]

23, lines 21-22.
[21]   March 4, 2004, Final Action, page 3, lines 9-13.

In support of this quoted assertion the Examiner cites column 7, line 44 - column 8, line 65.[22] However, contrary to the Examiner's statement, nowhere in these 80 cited lines of Moskowitz's specification is there any teaching of "transmitting an identifier of said [watermark-related] software program," as required by the claim.

(The first part of the cited excerpt, up through column 8, line 26, details the increased data capacity, and data robustness, of Moskowitz's watermark as contrasted with a prior art system by Preuss. The second part of the cited excerpt addresses advantages Moskowitz gains by separating the encoder from the decoder.)

Additionally, Moskowitz does not teach transmitting "a packet of data" in which the two types of data enumerated in claim 7 are conveyed. However, in view of Moskowitz's failure to teach transmission of "an identifier of said [watermark-related] software program," this further shortcoming of Moskowitz is not further belabored.

Since the cited art fails to teach the claimed arrangement, the rejection of claim 7 should be reversed.

2.   **Claim 8**

Claim 8 depends from claim 7, and is similarly allowable. Claim 8 is also allowable independently of claim 7. The claim reads:

> *8. The apparatus of claim 7, wherein said packet of data also includes address information identifying the apparatus.*

Claim 8 thus requires an apparatus operable to transmit a packet of data to a remote system, where the packet comprises:

(a) an identifier of said [watermark-related] software;

(b) at least a portion of a detected watermark; and

---

22   March 4, 2004, Final Action, page 3, lines 13-14.

(c) address information identifying the apparatus.[23]

Moskowitz fails to teach an apparatus that transmits address information identifying the apparatus, together with the other enumerated information, in packet form.

There is a reference to "addresses" in Moskowitz's specification. It is found in the very first paragraph in column 1, and states:

*The watermarks can also serve to allow for secured metering and support of other distribution systems of given media content and relevant information associated with them, **including addresses, protocols, billing, pricing or distribution path parameters**, among the many things that could constitute a "watermark."*

However, this sentence is understood to indicate that the "addresses" are addresses associated with the *media content*. There appears to be no teaching of address information "identifying the apparatus" that sent the packet of data, and there is certainly no teaching of transmitting address information identifying an apparatus in the same packet as an identifier of watermark-related software, as required by claim 8.

Again, the failure of Moskowitz to teach each element of claim 8 requires reversal of the rejection.

3.   **Claim 10**

Claim 10 is an independent claim that reads as follows:

10. An apparatus including a watermark detector and a watermark-related software program, operable to transmit a packet of data to a remote system, said packet of data comprising (a) a context or environment identifier, and (b) at least a portion of a detected watermark.

Moskowitz does not teach transmission of "a context or environment identifier."

The first Action did not attempt to identify a passage in Moskowitz teaching transmission of "a context or environment identifier," in conjunction with the other limitations of the claimed

---

[23]   Support for this limitation is found, *e.g.*, at page 19, lines 1-3.

arrangement. Instead, the first Action stated only:

> *Moskowitz discloses a system utilizing digital watermarking for distributing copyrighted materials comprising:*
> *(a) a watermark detector (see col 8, lines 54-65),*
> *(b) a watermark related software for facilitating metering service for enabling delivery of copyrighted materials including text, audio, video from a server node to a user node via a network (see col. 8, line 66 – col 9, line 40).*

As can be seen, this language does not address the claim.

In their February, 2004 Amendment responsive to the first Action, Applicants pointed out Moskowitz's deficiency as respects the claimed transmission of data comprising "a context or environment identifier."[24] However, despite such prompting, the Examiner failed to address this limitation in the Final Rejection. Instead, that Action simply incorporated-by-reference the deficient grounds of rejection provided in the initial rejection.[25]

Contrary to the regulations, the Examiner failed to designate the particular part of Moskowitz relied on for the limitations of claim 10.[26] Indeed, there is no indication that the limitations of claim 10 were considered by the Examiner.

Again, Moskowitz does not teach the apparatus claimed, so the rejection of claim 10 must be reversed.

4.   Claim 11

Claim 11 depends from claim 10, and is similarly allowable. Claim 11 is also independently allowable. The claim reads:

> *11. The apparatus of claim 10, wherein said packet of data also includes address information identifying the apparatus.*

---

[24]   February, 2004 Amendment, page 7, last line.
[25]   March 4, 2004, Final Action, page 2, paragraph 3.
[26]   *C.f.,* 37 CFR 1.104(2).

Claim 11 thus requires an apparatus operable to transmit a packet of data to a remote system, where the packet comprises:

(a) a context or environment identifier;

(b) at least a portion of a detected watermark; and

(c) address information identifying the apparatus.

Moskowitz fails to teach an apparatus that transmits address information identifying the apparatus, together with the other enumerated information, in packet form.

As noted above in connection with claim 8, there is a reference to "addresses" in Moskowitz's specification. However, that reference is understood to refer to addresses associated with the *media content*. There is no teaching of address information "identifying the apparatus," and there is certainly no teaching of transmitting address information identifying an apparatus in the same packet as a context or environment identifier, as required by claim 11.

Again, the failure of Moskowitz to teach each element of claim 11 requires reversal of the rejection.

5.   **Claim 13**

Claim 13 is an independent claim that reads as follows:

> *13. A networked computer system, responsive to watermark data sent from a remote client application to initiate delivery of audio or video data.*

Moskowitz does not teach an arrangement that is "responsive to watermark data ... to initiate delivery of audio or video data."

Rather, Moskowitz's watermark information is understood to be delivered *with* audio or video data. It is not involved in *initiating* such delivery *in response* to watermark data, as required by the claim.

The Examiner cites col. 9, lines 1-28 as allegedly teaching this feature. It does not.

The cited excerpt reads:

>*Watermarks can be generated to contain information to be used in effecting
>software or content metering services. In order to accomplish this, the watermark
>would include various fields selected from the following information:*
>
>>*title identification;*
>>*unit measure;*
>>*unit price;*
>>*percentage transfer threshold at which liability is incurred to purchaser;*
>>*percent of content transferred;*
>>*authorized purchaser identification;*
>>*seller account identification;*
>>*payment means identification;*
>>*digitally signed information from sender indicating percent of content*
>*transferred; and*
>>*digitally signed information from receiver indicating percent of content*
>*received.*
>
>*These "metering" watermarks could be dependent on a near continuous exchange
>of information between the transmitter and receiver of the metered information in
>question. The idea is that both sides must agree to what the watermark says, by
>digitally signing it. The sender agrees they have sent a certain amount of a
>certain title, for instance, and the receiver agrees they have received it, possibly
>incurring a liability to pay for the information once a certain threshold is passed.
>If the parties disagree, the transaction can be discontinued before such time. In
>addition, metering watermarks could contain account information or other
>payment information which would facilitate the transaction.*

As well be recognized, such use of watermarks to effect "software or content metering services" contemplates that the watermarks are conveyed *with* the content (*e.g.*, "indicating percent of content transferred") – not used as a trigger to *initiate* its deliver.

Again, since the art fails to teach the claimed arrangement, the anticipation rejection of claim 13 should be withdrawn.

6. **Claim 14**

Claim 14 depends from claim 13, and is similarly allowable. Claim 14 is also independently allowable. The claim reads

> *14. The networked computer system of claim 13, responsive to watermark data sent from a software program on a remote computer, to initiate delivery of audio or video data to said remote computer.*

The claim thus requires that the watermark data that initiates delivery of the audio or video content to the remote computer is sent from a software program *on the remote computer itself.*

Again, Moskowitz does not teach such an arrangement. The Examiner has not cited any passage in Moskowitz that is alleged to teach it. Indeed, both the first and Final rejections are silent on this limitation, suggesting that it may not have been given consideration by the Office.

Again, since the art fails to teach the claimed arrangement, the anticipation rejection of claim 14 should be withdrawn.

7.   **Claim 15**

Claim 15 is an independent claim that reads as follows:

> *15. A networked computer system, responsive to watermark data sent from a software program on a remote computer, to initiate delivery of advertisement data to said remote computer.*

Again, Moskowitz does not teach an arrangement that is "responsive to watermark data ... to initiate delivery" of data. Rather, as discussed above in connection with claim 13, Moskowitz teaches an arrangement in which the watermark data is delivered *with* audio or video data.

Moreover, Moskowitz is silent about "advertising." The term is not used in his specification.

Again, the Examiner has not cited any passage in Moskowitz that is alleged to teach anything concerning advertising data. Again, both the first and Final rejections are silent on this limitation, suggesting that it may not have been given consideration by the Office.

Again, since the art fails to teach the claimed arrangement, the anticipation rejection of claim 15 should be withdrawn.

8.   **Claim 16**

Claim 16 is an independent claim that reads as follows:

> *16. A networked computer system, responsive to watermark data sent from a software program on a remote computer, to initiate delivery of updated software to said remote computer.*

Again, Moskowitz does not teach an arrangement that is "responsive to watermark data ... to initiate delivery" of data. Rather, as discussed above in connection with claim 13, Moskowitz teaches an arrangement in which the watermark data is delivered *with* software data.

Moreover, Moskowitz is silent about "*updated* software data." Updating of software is not referenced, or contemplated, by his specification.

Again, the Examiner has not cited any passage in Moskowitz that is alleged to teach anything concerning updating of software. Again, both the first and Final rejections are silent on this limitation, suggesting that it may not have been given consideration by the Office.

Again, since the art fails to teach the claimed arrangement, the anticipation rejection of claim 16 should be withdrawn.

9.   **Claim 9**

Claim 9 depends from claim 7, and is similarly allowable. Claim 9 is also independently allowable. The claim reads:

> *9. A system comprising the apparatus of claim 7 together with said remote system, the remote system including a router and plural handlers, the router directing data from said packet to one of said handlers depending on data within said packet.*

Unlike the claims earlier addressed, claim 9 is alleged to be *obvious* over Moskowitz, rather than anticipated by it.

The Examiner has failed to establish *prima facie* obviousness.

The Examiner's rejection reads:[27]

> *Moskowitz does not explicitly teach a router. An official notice is taken that the use of router at a network server is well known in the art.*
>
> *It would be been obvious to one of ordinary skill in the art at the time the invention was made to utilize a router in Moskowitz because it would have enabled the network server to deliver data content to a plurality of users.*

While it is true that "the use of a router at a network server is well known in the art," this is not the limitation stated by the claim.

The claim additionally requires "plural handlers."[28] Limitations in the claim relating to the "plural handlers" were ignored by the Examiner.

(Applicants' specification describes that the plural handlers may be desired for different purposes. For example, they may be geographically distributed.[29] Or different handlers may be dedicated to different data. For example, one may respond to watermarks found in audio, and another may respond to watermarks found in print advertising.[30] Likewise, one may respond to advertising placed by Ford, and another may respond to advertising placed by Chevrolet.[31] Or one may respond to advertising appearing in *Wired* magazine, and another may respond to advertising placed in *Time* magazine.[32])

No "plural handlers" are taught by Moskowitz. No assertion to the contrary is made by the Examiner.

A *prima facie* case of obviousness requires that the prior art reference "teach or suggest all of the claim limitations."[33] The Examiner's failure to address the "plural handler" limitations that are missing from Moskowitz requires reversal of the rejection.

---

[27]   November 5, 2003, Action, page 4, paragraph 6.
[28]   Support for this limitation is found, *e.g.*, in Fig. 4 (which illustrates "Product Handler(s)", and in the specification at page 6, line 28 to page 7, line 8.
[29]   *See* specification at page 6, line 8.
[30]   *See* specification at page 7, lines 1-2.
[31]   *See* specification at page 7, lines 2-4.
[32]   *See* specification at page 7, lines 4-5.

(In view of such deficiency, other points that may be made concerning the inadequacy of the rejection, and the patentability of the claim, are not belabored.)

10. **Claim 12**

Claim 12 is like claim 9, but depends from claim 10 rather than claim 7.

Claim 12 is allowable for its dependence on allowable claim 10. Claim 12 is also independently allowable. The claim reads:

> *12. A system comprising the apparatus of claim 10 together with said remote system, the remote system including a router and plural handlers, the router directing data from said packet to one of said handlers depending on data within said packet.*

Again, because the Examiner failed to address the "plural handlers," the rejection is inadequate and must be reversed. (Again, in view of such deficiency, other points are not belabored.)

VIII. CONCLUSION

The rejections under § 102 fail because the art does not teach each of the claims' limitations. The rejections under § 103 fail because the Office has not established *prima facie* obviousness. Accordingly, the Board is requested to reverse all of the outstanding rejections, and remand to the Examiner for issuance of a notice of allowance.

Respectfully submitted,

Date: October 7, 2004

DIGIMARC CORPORATION

CUSTOMER NUMBER 23735

By_____
William Y. Conwell
Registration No. 31,943

Phone: 503-885-9699
FAX 503-885-9880

---

[33] MPEP § 706.02(j).

APPENDIX A

PENDING CLAIMS

1. (Withdrawn) A method comprising:

sensing an object identifier from a first object;

sending said first object identifier from a first device to a second device;

in response, at said second device, identifying address information corresponding to said first object identifier and sending same to the first device;

initiating a link from the first device in accordance with said address information;

at said second device, identifying additional objects related to said first object;

identifying additional address information corresponding to said additional objects; and sending said additional address information to the first device;

storing said additional address information in a memory at the first device;

wherein, if an object included among said identified additional objects is sensed by the first device, the corresponding address information can be retrieved from said memory in the first device without the intervening delays of communicating with the second device.

2. (Withdrawn) A database method comprising:

generating a database record including plural data fields;

generating a file corresponding to said database record and including data from at least certain of said fields;

electronically distributing a copy of the file to each of plural recipients;

one of said recipients adding data to a copy of the file, or changing data in a copy of the file, and sending the file to the database;

updating the database record in accordance with said changed file;

generating a new file corresponding to the updated database record and including data from at least certain of said fields; and

electronically distributing a copy of the new file to each of said plural recipients.

3. (Withdrawn) A system for linking from physical or digital objects to corresponding digital resources, comprising:

registration means for receiving data relating to an object, including its identity and owner, and associating same in a database with data relating to a corresponding response;

originating device means for sensing data from an input object, processing same, and forwarding same to a routing means;

routing means for processing the processed data from the originating device means, logging information from same, and forwarding at least certain of said processed data to a product handler means; and

product handler means for providing a response to the originating device means in accordance with the information provided thereto by the routing means.

4. (Withdrawn) The system of claim 3 in which the routing means includes means for checking information in the database.

5. (Withdrawn) The system of claim 3 in which the registration means includes means for generating an encapsulating file and means for distributing said file to predetermined parties.

6. (Withdrawn) A system as described in the foregoing detailed description.

7. (Original) An apparatus including a watermark detector and a watermark-related software program, operable to transmit a packet of data to a remote system, said packet of data comprising (a) an identifier of said software program, and (b) at least a portion of a detected watermark.

8. (Original)   The apparatus of claim 7, wherein said packet of data also includes address information identifying the apparatus.

9. (Original) A system comprising the apparatus of claim 7 together with said remote

system, the remote system including a router and plural handlers, the router directing data from said packet to one of said handlers depending on data within said packet.

10. (Original) An apparatus including a watermark detector and a watermark-related software program, operable to transmit a packet of data to a remote system, said packet of data comprising (a) a context or environment identifier, and (b) at least a portion of a detected watermark.

11. (Original) The apparatus of claim 10, wherein said packet of data also includes address information identifying the apparatus.

12. (Original) A system comprising the apparatus of claim 10 together with said remote system, the remote system including a router and plural handlers, the router directing data from said packet to one of said handlers depending on data within said packet.

13. (Original) A networked computer system, responsive to watermark data sent from a remote client application to initiate delivery of audio or video data.

14. (Original) The networked computer system of claim 13, responsive to watermark data sent from a software program on a remote computer, to initiate delivery of audio or video data to said remote computer.

15. (Original) A networked computer system, responsive to watermark data sent from a software program on a remote computer, to initiate delivery of advertisement data to said remote computer.

16. (Original) A networked computer system, responsive to watermark data sent from a software program on a remote computer, to initiate delivery of updated software to said remote computer.